

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

v.

17-MJ-524-JWF

WILLIAM R. ROSICA,

NOTICE OF MOTION

Defendant.

MOTION BY:

Mark D. Hosken, Supervisory Assistant Federal
Public Defender, Attorney for William Rosica.

DATE, TIME & PLACE:

On a date, time, and courtroom to be
determined before a United States District
Judge, U.S. Courthouse, Rochester, New York.

SUPPORTING PAPERS:

Affirmation of Mark D. Hosken, affirmed on
May 25, 2017, and the Memorandum of Law.

RELIEF REQUESTED:

An Order Revoking the Order of Detention and
Setting Reasonable Conditions of Release.

Dated: May 25, 2017
Rochester, New York

s/Mark D. Hosken
Mark D. Hosken
Supervisory Assistant Federal Public Defender
28 E. Main Street, Suite 400
Rochester, New York 14614
Attorney for William R. Rosica
585-263-6201
Mark_Hosken@fd.org

To: Craig Gestring, AUSA

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA

17-MJ-524-JWF

v.

WILLIAM R. ROSICA,

Defendant.

**AFFIRMATION IN SUPPORT OF
THE DEFENDANT'S MOTION TO
REVOKE OR AMEND THE
DETENTION ORDER**

MARK D. HOSKEN, Supervisory Assistant Federal Public Defender for the Western District of New York, affirms as follows:

1. I am an attorney licensed to practice law in the State of New York and the United States District Court for the Western District of New York, and I represent the defendant, William Rosica.

2. I am familiar with this case by reason of my investigation of this matter, conversations with my client and others, and a review of the audio of the detention hearing that was held on March 3, 2017 before the Honorable Jonathan W. Feldman, Magistrate Judge.

3. Magistrate Judge Feldman concluded Mr. Roscia was not a serious risk of flight, but granted the government's motion for detention based on dangerousness. An Order of Detention Pending Trial was issued by Magistrate Judge Feldman on March 3, 2017. (*See*, Exh. A.)

4. This affirmation is submitted in support of the defendant's request for revocation of the detention order pursuant to 18 U.S.C. § 3145(b).

5 The defendant respectfully requests this Court revoke the detention order and find that there are conditions or a combination of conditions that could reasonably assure the safety of any other person and the community. Specifically, the defendant asks that he be released on home incarceration with electronic monitoring through the use of a GPS device and a requirement the defendant participate in the computer/internet monitoring program administered by the U.S. Probation Office.

6 For the reasons set forth above and in the memorandum of law, the defendant respectfully requests an order from this Court revoking the detention order and directing the release of the defendant on reasonable conditions pending trial.

Dated: May 25, 2017
Rochester, New York

s/Mark D. Hosken
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Supervisory Assistant Federal Public Defender
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